

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

QUINCY BUTLER,
Plaintiff,
v.
,
Defendant.

Case No. 21-cv-04856-PJH

ORDER OF DISMISSAL

Re: Dkt. No. 1

This case was opened when plaintiff, a Texas state prisoner proceeding pro se, wrote a letter to the court. In an effort to protect his rights, it was filed as a new case. Plaintiff was informed that he had not filed a complaint and was given twenty-eight days to do so. He also was sent a notice that he had not paid the filing fee or applied for leave to proceed in forma pauperis ("IFP"); again, he was allowed twenty-eight days to either pay the fee or file the application. Plaintiff has now filed a notice that he did not intend to initiate an action and seeks to dismiss this case. This case is therefore **DISMISSED** without prejudice pursuant to Fed. R. Civ. P. 41(a). No fee is due. Plaintiff's motion for an injunction (Docket No. 1) is **DENIED** as moot.

IT IS SO ORDERED.

Dated: July 30, 2021

/s/ Phyllis J. Hamilton

PHYLLIS J. HAMILTON
United States District Judge